

TRANSCRIPTS AND RECORDINGS OF ORAL ARGUMENTS

(October 2003)

The only individuals permitted to record oral arguments of the Supreme Court are those seated at the console behind the Justices' box seats and authorized by the Marshal of the Court to make and maintain the official recordings. Currently, Alderson Reporting Company is under contract to record and transcribe all oral arguments at the Court.¹

Alderson Reporting Company offers copies of transcripts in print and a variety of electronic formats including the latest litigation formats that allow for compression and key word indexing.

Transcripts may be ordered at any time before or after oral argument. Prepayment is required. Transcripts may be ordered and received online from www.aldersonreporting.com. The standard transcript service is available five business days after oral argument was heard. The rate for this transcript service is currently \$2.85 per page. Most arguments are about 55 pages in length. Rates for expedited transcripts are pro-rated by each day up to the "same day service" which is \$5.00 per page and delivered within five hours of oral argument. To guarantee expedited service, orders should be placed at least one business day before oral argument.

Transcripts may not be copied and distributed in any format without permission from Alderson Reporting Company. Permission must be obtained to post a transcript on a website. Permission is routinely granted for 22 lines or less. The point of contact at Alderson Reporting Company for special requests is Rose Ann Alderson-Sharp. Shipping and delivery costs vary based on location and type of service ordered.

Transcripts are available for oral arguments that took place within the last two years. Transcripts of oral arguments held after the 1995 Term might be available, but are subject to a retrieval fee. No tape recordings of oral arguments are available from Alderson Reporting Company.

After Alderson completes an oral argument transcript and provides copies to the Court and ordering parties it is sent to Westlaw and Lexis-Nexis where the transcripts are available electronically to subscribers approximately fifteen days after the oral argument. Westlaw's

¹ To order a transcript from the contractor, contact Alderson Reporting Company, Inc., Attn: Transcript Order, 1111 14th Street, NW, 4th Floor, Washington, DC 20005-5650. An Alderson Company representative can be reached by phone at (202) 289-2260 or (800) 367-3376, fax at (202) 289-2221 or (800) 367-3310 or e-mail at www.info@aldersonreporting.com. Transcripts can also be ordered through Alderson's website at www.aldersonreporting.com (to purchase, click "Order Supreme Court Transcripts").

collection includes oral argument transcripts since 1990, which subscribers can access through the SCT-ORALARG database.²

Lexis-Nexis' collection includes all oral argument transcripts since the beginning of the October 1979 Term. Subscribers to Lexis-Nexis (with a software package) can access these documents by entering the GENFED library and then clicking on the USTRAN file, which allows for a case name, docket, or date range search for transcripts.³

Alderson Reporting Company provides transcripts to the Supreme Court for posting on its website ten to fifteen days after the transcripts are complete.⁴

Alderson Reporting Company also delivers copies of oral argument transcripts to the Supreme Court Library where they are added to the Library's records and briefs collection and are available to the public about seven to ten days after the oral argument. The Library's collection contains the transcripts of every oral argument since the beginning of the 1968 Term and a random selection of transcripts from oral arguments before the 1968 Term dating back to 1935. While the Library allows public access to current Term transcripts, these transcripts are not available for photocopying until the beginning of the following Term (photocopies cost ten cents per page). In addition to its oral argument transcripts, the Library's collection includes records and briefs from 1832 to the present.⁵

The Court also makes its own set of oral argument tapes. This set of recordings is kept in the Marshal's Office for the remainder of the Term, during which time it is not available to the general public. At the beginning of the next Term, the tapes are transmitted from the Marshal to the Motion Picture, Sound, and Video Branch of the National Archives. The Archives' collection contains audio recordings of Supreme Court oral arguments from 1955 through the immediately preceding October Term. Members of the public can listen to or make their own copies of oral argument tapes using their own tape recorders, blank tapes, and patch cords at the Motion Picture, Sound, and Video Branch. Copies of tapes can also be purchased from the Archives.⁶ To listen to or purchase a copy of a tape, the Archives asks that individuals requesting recordings provide the case title, Supreme Court case number, and date of the oral argument. Although no formal appointment is required to listen to tapes, the Archives recommends that individuals interested in retrieving copies of tapes make sure the Archives has a

² Westlaw can be reached by phone at (800) 328-4880, or through its website at <http://www.westlaw.com/>.

³ Lexis-Nexis can be reached by phone at (800) 356-6548 (Lexis Sales) or (800) 843-6476, or through its website <http://www.lexis-nexis.com/>.

⁴ The Supreme Court website is at <http://www.supremecourtus.gov> (click on "Oral Arguments" and click on "Argument Transcripts").

⁵ The United States Supreme Court Library can be reached by phone at (202) 479-3186.

⁶ To obtain recordings of Supreme Court oral arguments through the National Archives contact the National Archives Motion Picture, Sound, and Video Branch, National Archives at College Park, Room 3340, 8601 Adelphi Road, College Park, MD 20740-6001. The Branch can be reached by phone at (301) 837-3540 or by fax at (301) 837-3620. The website is located at: http://www.archives.gov/research_room/media_formats/film_sound_video.html

“reference copy” of the particular argument they are looking for prior to visiting the Motion Picture, Sound, and Video Branch.

Many recordings of oral arguments are also available on the Oyez Project website created and maintained by Professor Jerry Goldman of Northwestern University.⁷ This website allows access to approximately 588 cases through the use of the RealNetwork’s RealPlayer. The cases cover a wide range of time periods and areas of constitutional law and are digitized from actual copies of the official argument tapes held by the National Archives. To access arguments through the website, click on “Cases” on the homepage to search by title, citation, subject, or date. The website offers new audio materials from a Term approximately 10 months after the end of that Term.

Many Supreme Court oral argument tapes and/or transcripts are also available in published collections that can be purchased. The multi-volume set, Landmark Briefs and Arguments of the Supreme Court of the United States: Constitutional Law, edited by Professors Gerald Gunther and Gerhard Casper, contains oral argument transcripts and all written briefs submitted to the Court (including *amicus curiae* briefs) for major cases in constitutional law that are considered “landmark” cases by the editors. Purchases must be made by volume (not by individual case) and each volume is hardbound and approximately 750 pages.⁸ This set is also available at various law libraries.

Another collection of oral arguments is The Supreme Court’s Greatest Hits. This multimedia CD-ROM program currently costs \$29.95 and comprises oral arguments (taped and digitally encoded directly from the Archives’ official tapes), texts, and images. The program, edited by Professor Jerry Goldman, creator of the Oyez Project, includes fifty cases, six related cases that were argued separately but decided with a principal case, and thirteen opinion pronouncements.⁹

Oral argument collections are also available on microfiche. Lexis-Nexis produces a microfiche collection called Oral Arguments of the U. S. Supreme Court. This collection includes oral argument transcripts from the 1953 Term to the present and can be purchased from CIS, which sells microfiches only by Term (not by individual argument)¹⁰ which are priced between \$6.25-7.40. The collection can also be found at various law libraries.

⁷ The address for the Oyez Project website is <http://oyez.nwu.edu/>.

⁸ For more information about this publication, contact the Congressional Information Service, 4520 East-West Highway, Bethesda, MD 20814-3389. It can be reached by phone at (301) 654-1550 or (800) 638-8380, or by fax at (301) 657-3203. The website is located at <http://www.cis.pubs.com/>.

⁹ To order The Supreme Court’s Greatest Hits, contact the Association of American University Presses, 71 West 23rd Street, Suite #901, New York, NY 10010. The Association can be reached by phone at (212) 989-1010 or by fax at (212) 989-0275. The website is located at <http://aaup.uchicago.edu/>. For more information about the collection, see the following website: <http://nupress.nwu.edu/scgh/>.

¹⁰ For more information about the microfiche collection, contact the Congressional Information Service. See footnote 8, *supra*.

APPENDIX TO TRANSCRIPTS AND RECORDINGS OF ORAL ARGUMENTS

PRINTED TRANSCRIPTS:

Alderson Reporting Company, Inc.
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Website: www.aldersonreporting.com (to purchase, click "Order Supreme Court Transcripts")
E-mail: www.info@aldersonreporting.com

The National Archives (Old Military and Civil Branch)
National Archives Records and Administration
7th Street and Pennsylvania Avenues, NW
Washington, DC 20408
Phone: (202) 501-5395
Fax: (202) 219-6273
E-mail: NWCTB@nara.gov

United States Supreme Court Library
One First Street, NE
Washington, DC 20543
Phone (202) 479-3186
Website: www.supremecourtus.gov

ELECTRONIC TRANSCRIPTS:

Westlaw
Phone: (800) 328-4880
Website: <http://www.westlaw.com/>

Lexis-Nexis
Phone: (800) 356-6548 (Lexis sales)
(800) 843-6476
Website: <http://www.lexis-nexis.com/>

U.S. Supreme Court
Website: <http://www.supremecourtus.gov>
Click on "Oral Arguments"
Click on "Argument Transcripts"

ORAL ARGUMENT RECORDINGS:

National Archives
Motion Picture, Sound, and Video Branch
National Archives at College Park
Room 3340
8601 Adelphi Road
College Park, MD 20740-6001
Phone: (301) 837-3540
Fax: (301) 837-3620
Website: http://www.archives.gov/research_room/media_formats/film_sound_video.html

The Oyez Project (Northwestern University) -- Unofficial
Website: <http://oyez.nwu.edu/>

COLLECTIONS OF ORAL ARGUMENTS AVAILABLE FOR PURCHASE:

Landmark Briefs and Arguments of the Supreme Court of the United States: Constitutional Law
Lexis-Nexis
4520 East-West Highway
Bethesda, MD 20814-3389
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